

III. REMARKS

1. Claims 1-10, 12, 15, and 18-19 are not anticipated by Silver et al. ("Silver") under 35 U.S.C. §102(b).

Applicant's invention according to claims 1 recites that "both circuit-switched and packet-switched messages are used in the base station controller". This is not disclosed or suggested by Silver. Silver only discloses base stations. These are named either as Base Transceiver Stations (BTS) 117, 118 and 119 or Base Stations Subsystems (BSS) 123, 124 and 125. (Col. 4, lines 52-54 and Col. 5, lines 47-51). Silver makes no mention of using both the packet-switched messages and circuit-switched messages in a "base station controller" as is claimed by Applicant. Base station controllers as described and claimed by Applicant are network elements that are not the same as the base stations disclosed by Silver. Fig. 4 of Silver only illustrates the page message being forwarded from the SGSN 121 to the BSS 125 (Col. 8, lines 32-33). There is no disclosure in Silver of using a base station controller, which is not the same as a base station. While Silver may disclose communications between packet switched and circuit switched networks, there is simply no disclosure in Silver of using both types of messages in a "base station controller" as is claimed by Applicant.

Anticipation requires that each and every element of the claim be taught by the reference. Since Silver does not teach a "base station controller" as noted above, Silver cannot anticipate Applicant's claim.

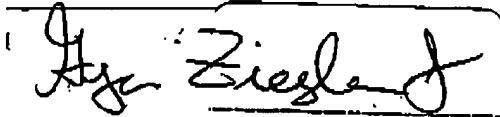
Thus, claims 1-10, 12-15 and 18-19 cannot be anticipated.

Claim 16 is not unpatentable at least by reason of its dependency.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile to (571) 273-8300 the date indicated below, addressed to the Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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